

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT**

IN RE:

Wesley J. Kalusha,
Vicki L. Whitlock-Kalusha,

CHAPTER 13
CASE NO. 19-54224-MBM
JUDGE MARCI B. MCIVOR

DEBTORS.
_____ /

TRUSTEE’S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN

NOW COMES the Chapter 13 Standing Trustee, David Wm. Ruskin, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to Local Bankruptcy Rule 3015-3 as follows:

1. The Plan does not increase its funding upon the termination of the obligation to University of Michigan Credit Union pursuant to 11 USC 1325(b)(1)(B) and 11 USC 1325(a)(3).
2. The amount of the proposed funding in the Plan is not sufficient to pay all claims as proposed in the Plan (the Plan is underfunded). Therefore, the Plan does not provide for the submission of sufficient future earnings or future income for the execution of the Plan as required by 11 USC 1322(a)(1).
3. Debtor testified at the First Meeting of Creditors that Debtor-husband is no longer employed at Precision Pipe. Debtors have not filed an Amended Schedule I to disclose Debtor husband’s current employment and income rendering it impossible to determine whether the Plan complies with 11 USC Section 1325.

WHEREFORE, the Chapter 13 Standing Trustee requests this Honorable Court deny confirmation of Debtors' Chapter 13 Plan unless modified to meet these objections.

OFFICE OF DAVID WM. RUSKIN,
STANDING CHAPTER 13 TRUSTEE

Dated: December 4, 2019

By: /s/ Thomas D. DeCarlo

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**CERTIFICATE OF SERVICE OF TRUSTEE'S OBJECTIONS TO
CONFIRMATION OF CHAPTER 13 PLAN**

I hereby certify that on December 4, 2019, I electronically filed the Trustee's Objections to Confirmation of Chapter 13 Plan with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

The following parties were served electronically:

BERMAN & BISHOP PLLC
24405 GRATIOT
EASTPOINTE, MI 48021-0000

The following parties were served via First Class Mail at the addresses below by depositing same in a United States Postal Box with the lawful amount of postage affixed thereto:

Wesley J. Kalusha
Vicki L. Whitlock-Kalusha
5552 Grayfield Circle
Ypsilanti, MI 48197-0000

/s/ Vanessa Wild

Vanessa Wild
For the Office of David Wm. Ruskin
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